



Security Council

PROVISIONAL

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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND THIRTY-EIGHTH MEETING

Held at Headquarters, New York,
on Saturday, 25 August 1990, at 3.15 a.m.

President: Mr. MUNTEANU

(Romania)

Members:

Canada
China
Colombia
Côte d'Ivoire
Cuba
Ethiopia
Finland
France
Malaysia
Union of Soviet Socialist Republics
United Kingdom of Great Britain and
Northern Ireland
United States of America
Yemen
Zaire

Mr. FORTIER
Mr. LI Daoyu
Mr. PEÑALOSA
Mr. ANET
Mr. ALARCON de QUESADA
Mr. TADESSE
Mr. TÖRNUDD
Mr. BLANC
Mr. RAZALI
Mr. LOZINSKY

Sir Crispin TICKELL
Mr. PICKERING
Mr. AL-ASHTAL
Mr. LUKABU KHABOUJI N'ZAJI

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The meeting was called to order at 3.25 a.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION BETWEEN IRAQ AND KUWAIT

LETTER DATED 2 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21423)

LETTER DATED 2 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21424)

LETTER DATED 8 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVES OF BAHRAIN, KUWAIT, OMAN, QATAR, SAUDI ARABIA AND THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21470)

LETTER DATED 18 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21561)

LETTER DATED 24 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21634)

LETTER DATED 24 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21635)

LETTER DATED 24 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF THE NETHERLANDS TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21636)

LETTER DATED 24 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SPAIN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21637)

LETTER DATED 24 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21638)

LETTER DATED 24 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVES OF BAHRAIN, KUWAIT, OMAN, QATAR, SAUDI ARABIA AND THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21639)

The PRESIDENT: In accordance with the decisions taken at previous meetings on this item, I invite the representatives of Iraq and Kuwait to take places at the Council table; I invite the representatives of Italy and Oman to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Al-Anbari (Iraq) took a place at the Council table; Mr. Abulhasan (Kuwait) took a place at the Council table; Mr. Traxler (Italy) and Mr. Al-Khussaiby (Oman) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: The Security Council will now resume its consideration of the item on its agenda.

The Security Council is meeting in response to the requests contained in letters dated 24 August 1990 from the Permanent Representative of the Federal Republic of Germany to the United Nations addressed to the President of the Security Council (S/21634), the Permanent Representative of Italy to the United Nations addressed to the President of the Security Council (S/21635), the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council (S/21636), the Chargé d'Affaires ad interim of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/21637), the Chargé d'Affaires ad interim of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council (S/21638), and the Permanent Representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/21639).

Members of the Council have before them document S/21640, containing the text of a draft resolution submitted by Canada, Côte d'Ivoire, Finland, France, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zaire.

I should like to draw the attention of members of the Council to documents S/21548, S/21554, S/21555, S/21556, S/21558, S/21559, S/21560, S/21563, S/21564, S/21565, S/21566, S/21568, S/21571, S/21572, S/21574, S/21586, S/21590, S/21603 and S/21616, which contain the texts of communications from Kuwait, Saudi Arabia, Namibia, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Iraq, Yugoslavia, Jordan, the Sudan, Italy, France and Guinea.

(The President)

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall take it that that is the case.

There being no objection, it is so decided.

Before putting the draft resolution to the vote, I shall call on members of the Council who wish to make statements before the voting.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): At the very outset I should like to express my thanks to the sponsors of draft resolution S/21640 for their co-operation in accepting a number of amendments; the draft text before us differs from that originally proposed.

Since this crisis began, the Republic of Yemen has reaffirmed that it desires no solution other than a peaceful one, one not involving the use of force or military confrontation. Furthermore, the Republic of Yemen has stated many times that it is trying to make efforts to contain the crisis within the region. Yemen is continuing those efforts, which we hope will soon be crowned with success.

In the context of our desire to avoid the use of force and to avoid an escalation of the crisis to the point of war, we find that draft resolution S/21640 moves too quickly towards the use of force to impose the provisions of the Security Council resolution on the embargo. We believe the embargo is functioning effectively and will lead to negotiations on the implementation of Security Council resolution 660 (1990).

At all events, resolution 661 (1990)

"Requests the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days", (resolution 661 (1990), para. 10)

- that is, by 4 September 1990.

(Mr. Al-Ashtal, Yemen)

Why can the Security Council not wait for the report of the Secretary-General on the progress of the implementation of resolution 661 (1990)?

By paragraph 6 of the same resolution, the Council establishes a Committee to report to the Council with its observations and recommendations. That Committee has not yet reported to the Council.

That is why we believe there is an element of haste in the draft resolution before the Council.

As to the substance of the draft resolution, we would observe that for the first time in the history of the United Nations - and particularly in the history of the Security Council - unclear powers are being granted to undertake unspecified actions without a clear definition of the Security Council's role and powers of supervision over those actions.

(Mr. Al-Ashtal, Yemen)

The draft resolution calls upon "States", without calling them by name, "to use such measures commensurate to the specific circumstances as may be necessary ... to halt all inward and outward maritime shipping", without specifying the location, "in order to inspect and verify their cargoes and destinations". We find such powers rather ambiguous. According to the wording of the draft resolution, every maritime State with a presence in the area would have the right to undertake whatever acts it deems fit, and I believe that this would detract from the Security Council's role of directing and supervising such acts. Moreover, the recourse to measures which require some use of force may in itself lead to an engagement and, what we always fear, the conflagration of war in the area.

For these reasons, we cannot vote in favour of the draft resolution, while at the same time we approve its objectives, that is to say, the implementation of the resolution on the embargo, which would in turn lead to the implementation of Security Council resolutions and a peaceful settlement.

Mr. ALARCON de QUESADA (Cuba) (interpretation from Spanish): My delegation voted in favour of resolution 660 (1990), thus expressing its support for the sovereignty, national independence and territorial integrity of Kuwait and calling for the immediate withdrawal of the Iraqi troops that are occupying the territory of that State. It also voted in favour of resolution 662 (1990) and in that way rejected the claim of annexation of Kuwait. In addition, it voted in favour of resolution 664 (1990), thereby expressing its rejection of the situation that had been created with regard to foreigners in Kuwait and Iraq and the existing situation concerning diplomatic missions in Kuwait. Although we abstained in the voting on resolution 661 (1990), my Government has taken the relevant steps to ensure that our country too complies with it.

We are now being presented with a new draft resolution which gives rise to many questions and compels us to raise various objections to it. While we

(Mr. Alarcon de Quesada, Cuba)

recognize, as our colleague from Yemen has just done, the efforts which the original authors of the draft resolution have been prevailed upon to make and which have ensured that at least some formulations have become less ambiguous and less contrary to the Charter, I must state that the text in its present form remains unacceptable.

First of all, it is manifest that the Council is now being called upon to take cognizance of something that has been going on for a few days. The Security Council has not yet determined that there is a need to resort to the use of military forces to implement any of its resolutions, but those forces are already deployed. The Security Council has not yet determined that the measures it previously decided upon have proved inadequate. The Council has not even been able - or will not be able, apparently - to wait until the Secretary-General submits the first report on the implementation of Security Council resolution 661 (1990), which, by agreement between the members of the Council, should be issued about 6 September.

Apart from this haste to move on to the use of force, or rather, to permit the force already unilaterally deployed in the area to continue doing what it has been doing - now with the blessing of the Security Council - the Council is now to confirm that there exists in the zone a de facto situation which was not authorized by it, which was not decided upon by it and which has nothing to do with the use of force in accordance with the Charter of the Organization.

In addition to the fact that the Security Council has not taken the stand it should have taken and called for putting an end to that situation, which threatens to aggravate still further the grave conflict we have been dealing with for some time, we are now being asked to endorse or validate an action which cannot be justified under law. Perhaps that is why it has been necessary to resort to a strange and tortuous wording which has nothing to do with the concepts laid down in

(Mr. Alarcon de Quesada, Cuba)

our Charter and which specifically, in my delegation's view, represents a clear violation of Article 41, Article 42, Article 43, paragraph 1, Article 46, Article 47, paragraph 1, and Article 48, paragraph 1. There will be very few paragraphs of Chapter VII left inviolate if the Council adopts the draft resolution now before it.

Reference is made to using forces, but it is not known who the members of those forces are; we know it if we read the newspapers, but no one can know it from a reading of the draft resolution the Council is about to adopt. We do not know when the Council determined that certain countries would form part of those forces. Nor do we know who commands them, although all of us more or less suspect that it is a high ranking officer of the United States forces, identified every day as the chief of operations in the region.

(Mr. Alarcon de Quesada, Cuba)

But that commander has not been appointed by this Council, and according to Chapter VII the Council should designate the officer to command the forces it decides to employ. According to operative paragraph 1, these forces will be operating in the area but their purpose will be to halt all inward and outward shipping. It does not say from where; I assume it means the region. But it is so ill-defined that the zone could extend all round the world.

Nor does it indicate against whom these forces would operate, implying that the purpose would be to halt all - I emphasize "all" - maritime shipping, whether inward or outward. The text fails to stipulate to whom such forces would be responsible. It is clear they would be responsible to their immediate military commanders, but the Council is now taking on an ambiguous responsibility because the same operative paragraph states "under the authority of the Security Council".

If the Security Council is really acting responsibly and seriously, and those who are observing its work must assume that it is, when it talks of using military force, then the Council should have drawn on those articles of Chapter VII that clearly spell out how this responsibility, this authority, should be exercised.

For example, Article 46, which we presume is still valid because we are not aware that the Charter has been revised in these early hours of the morning, states

"Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee."

It appears the Military Staff Committee may be sitting tonight because there is a reference to it in operative paragraph 4, though as far as I know it has not been meeting to draft any plan, and I do not believe the Council has convened it either formally or informally to draw up any plan for the deployment of any forces in any part of the world.

(Mr. Alarcon de Quesada, Cuba)

The subsequent article, Article 47, in speaking of the functions of that Committee, says inter alia that it should assist the Security Council in the "employment and command of forces placed at its disposal". Article 43, which I suspect is also still valid, says that

"All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call" -

the paragraph is quite long, but this is on the call of the Security Council. One might imagine that whatever steps the Security Council would take, should it determine that measures already taken under Article 42, which as yet excludes the use of force, were inadequate, it would first of all decide that the measures on whose implementation the Secretary-General would be reporting for the first time in two weeks had been insufficient, and would then proceed to consider additional measures including the possible use of military forces. Then the Council would request certain States to make some of those forces available to the Security Council. The Council would make its plans for the deployment of those forces and for their operations and would assume command of them.

However carefully and however often one reads the draft resolution now before us, it is impossible to find any of these criteria or requirements in any of its paragraphs. In adopting this draft resolution, as I imagine the Council will do, the Council will in fact through its own resolution allow an illegitimate situation to be perpetuated. That situation will then assume a kind of legitimacy because of the adoption of this draft resolution, which I imagine will become resolution 665 (1990).

Thus it seems that by giving a number to a set of actions and provisions they will cease being violations and transgressions of the Charter, though that is what they are. It would appear that if constraint is used against certain of the

(Mr. Alarcon de Quesada, Cuba)

vessels in the zone, we shall be acting in accordance with Chapter VII of the Charter, but lamentably we shall thus be adding fuel to an already grave situation that is a cause for great alarm and disquiet throughout the world.

It is a matter of further disquiet and alarm for the world to see this Council acting in a manner that departs from its fundamental functions.

There are some other queries that are perhaps even more difficult to answer. The draft resolution refers to specific forces, namely maritime forces. Everyone is aware that there also numerous air forces and land forces, all operating according to a plan not familiar to those of us around the table, except perhaps for the representative of the United States. They are operating under a command unknown perhaps to anyone perhaps but him. So there are naval, air and land forces, and they could work together with the forces referred to in the draft resolution or, as it were, in competition with them, adding to the conflict in the region.

Are we in the Security Council also required to take responsibility for possible hostilities that may arise from the acts of forces not under our command? When we are dealing with matters of such gravity as the use of armed force to supposedly guarantee the implementation of decisions of this body, we must be extremely careful.

We have had many long hours of discussion and negotiation, but we are truly very far from being convinced that this is the appropriate approach to be taken by this body or by this Organization.

I should like to add, in conclusion, that my delegation continues to believe that no action or decision adopted or to be adopted by this Council can give it the political, legal or moral authority to undertake any kind of action that is in itself inhuman.

(Mr. Alarcon de Quesada, Cuba)

In this respect we refer to any action designed to deprive millions of innocent civilians, including children, women and old people, of foodstuffs, medicines or medical assistance. My delegation firmly maintains this interpretation of international morality, of international legality, and no devious argument or attempt at justification can swerve us from this conviction.

My delegation will not, of course, vote in favour of the draft resolution.

Mr. PENALOSA (Colombia) (interpretation from Spanish): There can be no doubt that this morning we are witnessing an historic moment in the United Nations. After 45 years of existence, the Security Council has for the first time acted as was envisaged by its creators to prevent and control a regional conflict. As we have already stated, we are gratified that, thanks to détente, the permanent members have today reached agreement on intervening for that purpose. We hope that these conditions will prevail in the future.

My delegation's position with respect to the situation of Iraq and Kuwait is familiar to all here. From the outset we took a very clear position of condemnation of Iraq's action, and we have had no doubts about voting, on three occasions, in favour of resolutions on the subject: we took the view that for the sake of the future the international community must send an unambiguous message that such situations must not be repeated and that the international community stands ready to prevent them.

As far as the draft resolution now before us is concerned, we sincerely regretted that the haste imposed on its drafting has deprived non-permanent members of adequate time and leisure to negotiate improvements in it. We are under no illusion that when the Council comes to vote on this draft resolution it will be establishing a naval blockade, even though it may not say so, and that - though the Council may not say so either - it is acting pursuant to Article 42 of the Charter.

(Mr. Peñalosa, Colombia)

That neither worries nor frightens us, but we wish to be candid: We feel concern about other points of the draft resolution; we share some of the anxieties expressed by the Permanent Representatives of Yemen and Cuba over the fact that in this draft resolution the Security Council is delegating authority without specifying to whom. Nor do we know where that authority is to be exercised or who receives it. Indeed, whoever does receive it is not accountable to anyone.

As we look towards the future we believe that from the Council's point of view the lack of preparedness to cope with a situation such as prevails today must be avoided in future. For this reason we believe that, after 45 years, the Security Council must finally implement Article 43 - and, of course, the following articles - of the Charter. The Council must be prepared to deal with situations of this kind so that it will not find itself faced with a fait accompli.

Notwithstanding those comments, as we have stated on various occasions my delegation is in agreement with the substance of the draft resolution; we do not want to send an equivocal message to the Government of Iraq. We believe that there have been patent violations of resolution 661 (1990); there is an urgent need for the international community to deal with them.

We shall therefore vote in favour of the draft resolution.

The PRESIDENT: The Council will now proceed to vote on draft resolution S/21640.

A vote was taken by show of hands.

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire

Against: None

Abstaining: Cuba, Yemen

The PRESIDENT: The result of the voting is as follows: 13 votes in favour, none against and 2 abstentions. The draft resolution has been adopted as resolution 665 (1990).

I shall now call on those members of the Security Council who have asked to be allowed to make statements following the voting.

Mr. PICKERING (United States of America): First, let me say to the Council how gratified we are at the vote by which this resolution has been adopted.

We meet at a truly historic time in the life of the Organization. At no time since 1945 has the Security Council been asked to take on the kind of responsibility we are assuming today under conditions where a large majority of its members have co-operated in a strong sense of harmony. Our Charter was founded on the fundamental principle that the Security Council would carry a broad responsibility for the people of the world for international peace and security. The Charter empowers it to act in this regard, including the authority to decide to use armed force. The authority granted in this resolution is sufficiently broad to use armed force - indeed, minimum force - depending upon the circumstances which might require it. This is a significant step. On only a few occasions in the past has this authority ever been exercised. This is therefore a historic and significant decision. Under the circumstances, no lesser decision by the Security Council would have been appropriate.

(Mr. Pickering, United States)

Over the last three and a half weeks the Council has acted with dispatch and seriousness. Our first resolution condemned the invasion, sought an immediate and unconditional withdrawal, and provided a basis for a negotiated settlement. Resolution 661 (1990) established a broad sanctions régime which further reinforced those objectives. Resolution 662 (1990) declared null and void Iraqi action purporting to annex Kuwait. Resolution 664 (1990) condemned Iraqi actions in holding foreigners hostage, in shutting down embassies in Kuwait, and in removing the diplomatic immunity of their personnel. All the diplomatic approaches undertaken by the Council have thus far disturbingly and sadly fallen on deaf ears in Baghdad.

Each of the steps already taken was built on former steps. Today the Council decided to tighten the application of the sanctions régime set up by resolution 661 (1990), which is being exploited by Iraq. Indeed, in blatant defiance of the Security Council and its resolution 661 (1990), Iraq now sends its ships to sea laden with oil and other contraband. Its agents work to suborn citizens of other countries to abet violations of sanctions, even to obtain military supplies from abroad. The Government of Iraq has shown no intention to abide by the decisions of the Council.

It has been these actions by Iraq to confront the Council, to evade its resolutions, and to thumb its nose at all humanity that have forced the Council to take this deeply serious and most significant step of its history.

My country remains steadfastly interested in a peaceful settlement to this crisis. Such a settlement can only be predicated on the willingness of the international community to remain steadfast in the face of Iraqi aggression and inhumanity. We must in effect draw a firm line in the sand while at the same time providing every conceivable encouragement to find a rapid and peaceful solution to this problem.

(Mr. Pickering, United States)

In that regard, we must look back to resolutions 660 (1990) and 661 (1990) for setting the way. As we all know, these resolutions demand that Iraq immediately and unconditionally withdraw from Kuwait and restore Kuwait's legitimate Government, its sovereignty, territorial integrity and independence. Resolution 660 (1990) also provides that Iraq and Kuwait should begin immediately intensive negotiations for the resolution of their differences and supports all efforts in this regard, especially those of the League of Arab States. The United States welcomes all such efforts being made to bring about a solution to the problem. No solution can be reached, however, without the immediate and unconditional withdrawal of Iraqi forces.

My delegation understands that Kuwait is ready to begin immediately such intensive negotiations as soon as it is clear that all of the stipulations of resolution 660 (1990) are being fulfilled. We believe all efforts must continue to be made to pursue this objective, while we continue to ensure that the sanctions adopted in resolution 661 (1990) are fully, strictly and completely complied with by all States.

Until such time as Iraq fully complies with resolution 660 (1990) we, along with all of the other members of the Council, intend to ensure that its resolutions and its actions have meaning and are observed.

By this resolution tonight the members of the Council emphasize again their commitment to the peaceful measures already adopted. They have no intention that this resolution encourage a military escalation. This resolution applies strictly to efforts to ensure that the trade sanctions are not violated. It calls on Member States with maritime forces in the area

"to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and

(Mr. Pickering, United States)

destinations and to ensure strict implementation of the provisions related to such shipping laid down in resolution 661 (1990)". (resolution 665 (1990), para. 1)

The United States has vigorously sought and fully supports collective efforts to respond to this crisis. It supports collective efforts to enforce the trade sanctions strictly. United States naval forces, in co-ordination with other naval forces in the area, would use such minimum force only as necessary to accomplish that purpose.

In accordance with its responsibilities under this resolution and at the request of the legitimate Government of Kuwait, the Government of the United States will co-ordinate its actions with those of the many other nations that have sent naval forces to the region. The delegation of the United States will continue discussions with other members of the Council concerning how best to apply the economic sanctions against Iraq. We are also ready to discuss an appropriate role in this process for the Military Staff Committee.

A number of Member States have already acted to deploy units of their naval forces to ensure that the sanctions are effective. Those forces were there before the adoption of this resolution at the request of the legitimate Government of Kuwait - requests made fully in accordance with the inherent right of individual and collective self-defence confirmed in Article 51 of the United Nations Charter and consistent with Security Council resolution 661 (1990). That resolution specifically affirms the exercise of that right in response to the Iraqi armed attack on Kuwait.

(Mr. Pickering, United States)

This new resolution - 665 (1990) - addresses the application of the mandatory sanctions of resolution 661 (1990), specifically against maritime shipping. It lends the full weight and authority of the Security Council and, through it, the community of nations to the efforts of States that are deploying maritime forces to ensure that the sanctions are respected. It does not address other aspects of sanctions or other provisions of resolution 661 (1990), and so clearly it does not diminish the legal authority of Kuwait and other States to exercise their inherent right.

Resolution 665 (1990) therefore provides an additional and most welcome basis under United Nations authority for actions to secure compliance with the sanctions mandated by resolution 661 (1990).

Our Governments have faced a grave decision in deciding to adopt this resolution. As before, throughout this crisis the Council has stood firm in its resolve to confront Iraq's wanton aggression and to preserve the principles enshrined in the United Nations Charter. History will judge us by our resolve in the face of Iraq's threats to international peace and security.

Mr. BLANC (France) (interpretation from French): Since the beginning of the crisis, Iraq has refused to comply with Security Council resolutions 660 (1990), 661 (1990), 662 (1990) and 664 (1990). It has been obvious for several days that attempts to violate the embargo have taken place upon Iraq's initiative which threaten to diminish considerably the impact of resolution 661 (1990), the only peaceful means of compelling Iraq to comply with other resolutions of the Council.

As the President of the French Republic said on 21 August, "an embargo without sanctions would be a fiction". France therefore accepts the need to apply constraint when necessary to ensure respect for the embargo.

(Mr. Blanc, France)

It goes without saying that the resolution must not be understood as a blanket authorization for the indiscriminate use of force. It is a question of ensuring respect for the decision on the embargo imposed upon all. The resolution specifies the implementation of the embargo by stressing verification of cargoes and destinations. It provides for appropriate measures to be taken in that regard, including the minimum use of force. The French Government believes that this naturally must take place only as a last resort and be limited to what is strictly necessary. In each case, the use of coercion will require notification of the Security Council.

In conclusion, while the international community has the responsibility to ensure respect for the universally accepted principles governing relations among States, it is within the framework of the Arab community that a concrete solution can best be brought to bear on the problems that have led to the Iraq-Kuwait crisis. France, a long-time friend of the Arab countries, has the will to support their efforts in the search for a solution, which will naturally have to be based on Security Council resolutions. It also presupposes the prior withdrawal of Iraqi troops from Kuwait, whose sovereignty must be restored.

We have co-sponsored and fully supported Security Council resolution 665 (1990), which the Council has just adopted. We are pleased that it received 13 votes in favour.

Mr. FORTIER (Canada): The vote which the Security Council has just taken marks an historic occasion for the Council, the United Nations and the international community as a whole. It is not an event that we wished to see take place, but we were left with no choice. This marks the fifth occasion on which the Council has pronounced itself since Iraq invaded Kuwait on 1 August. It was made

(Mr. Fortier, Canada)

necessary by the consistent and continuing refusal of Iraq to abide by the binding decisions of this body.

Our first resolution, adopted in the immediate aftermath of the Iraqi invasion, called for Iraq to withdraw immediately and unconditionally from the territory of Kuwait. When Iraq chose not to do so, the Council, acting unanimously, adopted resolution 661 (1990), imposing sanctions binding on all States in order to secure the compliance of Iraq with its resolution 660 (1990).

Once again, Iraq chose to ignore the single, unanimous voice of the international community. Rather than restore the sovereignty of Kuwait as the Council had demanded, Iraq chose to annex that country, a decision on its part which was declared null and void by the Council in its resolution 662 (1990).

Since then, Iraq has continued to pretend that Kuwait no longer exists by ordering the closure of diplomatic missions in Kuwait. Iraq has stepped up its campaign of intimidation against all foreign nationals in Kuwait and Iraq, preventing those who wish to do so - including hundreds of Canadians - from leaving. The rescinding of those steps was unanimously demanded by the Council in its resolution 664 (1990).

Yet again, Iraq has failed to act in response to the unanimous call of this body. Not only has Iraq failed to comply with four resolutions of the Council: it has actively sought means by which it might avoid complying with them by attempting to enlist the assistance of other States, and even of private firms, to get around the sanctions imposed by the Security Council in its resolution 661 (1990).

The members of the Council cannot ignore their responsibility to the international community, and they have therefore no choice but to act once more as they have done. The decision we have reached this morning has been the subject of painstaking and careful consultations and negotiations. It is undoubtedly one of

(Mr. Fortier, Canada)

the most difficult decisions the Council has ever felt compelled to take. We have done so in the hope that Iraq will respond without delay by allowing all foreign nationals to leave Iraq and Kuwait and by withdrawing its forces from Kuwait, thus allowing the sovereignty of that Member State of the United Nations to be restored.

(Mr. Fortier, Canada)

(spoke in French)

As some of my colleagues have already said, we are living through a historic time in the contemporary history of the international community. The brutal invasion of Kuwait by Iraq more than three weeks ago and Iraq's escalation of its violations of the rules of international law represent one of the most serious threats to international peace and security that mankind has faced since the signing of the United Nations Charter in 1945.

At the same time, the five resolutions adopted by the Council without any dissent show most clearly the transformation of the United Nations, which is rediscovering its true mission, as conceived in San Francisco.

Canada has always been ready to participate in the active role played by the United Nations in the maintenance of world peace. Today Canada is here in this Chamber to join in an unequivocal condemnation of Iraq, whose recent actions constitute a flagrant violation of our Charter, and to vote, as we have just done, for a resolution whose primary objective is to bring about respect by Iraq for the rule of law.

(continued in English)

We very much hope that a peaceful solution to this crisis can be found. Such a solution can be based only on compliance with the resolutions of the Council, and it is with the intent of sending the strongest signal to that effect to the Government of Iraq that the Security Council this morning has adopted this resolution.

Mr. RAZALI (Malaysia): Many of us, including Malaysia, worked until the final hour to improve the text of the draft resolution. The text that we finally achieved will not fully satisfy everyone. Clearly, more could be done with it. There are areas that merit sharper examination, and there will be some who will retain apprehensions on certain points.

(Mr. Razali, Malaysia)

At this time no one can give any definitive assurance on the action contemplated in the resolution. The litmus test, therefore, will be its implementation.

Everyone is aware of the implications, for the resolution is clearly in furtherance of resolutions 660 (1990) and 661 (1990). The course of action to be taken crosses a clear line from applying sanctions to readiness to apply force if necessary in pursuit of compliance.

The authority vested in the resolution by the Security Council is given guardedly, with full awareness of the implications. We in the Non-Aligned Movement are averse to having military forces from outside Powers deployed in other regions, even if it is done on the basis of legitimate appeals by aggrieved parties. It is our expectation that the reasons for the presence of those forces will swiftly be removed and that equally quickly those forces will leave the scene.

The link in the resolution between the countries referred to in paragraph 1 and the United Nations is not so satisfactorily spelt out as one would have wished. But one should not be starry-eyed and imagine that, given the present realities, there can be an international force under a blue flag policing and enforcing United Nations injunctions. Given the need of the hour to ensure the complete effectiveness of sanctions, the Security Council must, until that day comes, be content with only the beginning of United Nations control action, although Malaysia and others would have preferred a more assertive and prominent role for the United Nations.

However, faced with a choice between protracted debates in search of perfect resolutions and the need for urgent redress to ensure that a country does not disappear from existence before our eyes, Malaysia has had to apply political judgement and support the resolution. Malaysia is determined that our commitment on effective sanctions is matched by our commitment to ensure that the resolution's

(Mr. Razali, Malaysia)

implementation is kept within strict and limited perimeters. No licence is given for actions beyond that provided for in paragraph 1 of the resolution.

Lastly, Malaysia wishes to underline the need to continue diplomatic and political initiatives, which must be undertaken as a matter of course. There can be no hopeless or impossible situation. We call on the Secretary-General, as well as on the Arab countries, to make even greater efforts. The Security Council, too, can do no less.

Mr. LUKABU KHABOUJI N'ZAJI (Zaire) (interpretation from French): When the Council adopted resolution 661 (1990) establishing mandatory sanctions against Iraq, my country indicated that its vote was a message to all possessors of military force who would dare to use brute force to intimidate, and even to silence, militarily weak countries. Despite that clear, precise message, Iraq, to which it was addressed, has gone from escalation to escalation, defying the Security Council and thereby the international community. Developments in the Gulf have shown us that both political and diplomatic efforts in the region have not led to any easing, much less a solution, of the crisis; that solution must consist in the unconditional withdrawal of Iraqi troops from Kuwait⁹.

Zaire regards resolution 665 (1990), which we have just adopted, as a call by the international community to Iraq to return to the path of law and order. Iraq cannot with impunity mock Security Council decisions and continue evading the sanctions imposed upon it by resolution 661 (1990).

By its vote in favour of resolution 665 (1990), Zaire reiterates its steadfast position: condemnation of the invasion of Kuwait, a State Member of the United Nations and a member of the Non-Aligned Movement, by a member of the same international bodies - in this case Iraq.

(Mr. Lukabu Khabouji N'Zaji,
Zaire)

Zaire calls upon Iraq to respect the principles of international law governing relations between States and to respect the provisions of the Charter of the United Nations.

The resolution just adopted by the Council is a "first" in the history of the United Nations. We agree on that. The resolution responds to a case unique in the annals of our Organization. It is the first case of an invasion of a State Member of the United Nations, followed by annexation of all its territory, by another Member State.

We hope that resolution 665 (1990) will be a useful deterrent tool which will oblige Iraq to respect the Council's decisions and induce it to withdraw from Kuwait unconditionally.

For Zaire, a people's freedom is priceless.

Mr. LOZINSKY (Union of Soviet Socialist Republics) (interpretation from Russian): From the day Iraq invaded Kuwait, the Soviet Union has taken a clear position condemning that act of aggression, which created an extremely dangerous situation in the Persian Gulf area. Like most States, my country essentially had no other choice than to adopt that position, because the use of force to redraw State frontiers and annex a sovereign country can start a chain reaction that threatens the entire world community. We denounced those actions as treachery and an arrogant flouting of international law and the Charter of the United Nations - in short, of everything our Organization now relies on in its efforts to turn civilization to the path of peaceful development. Our unambiguous support for the resolutions of the Security Council reflects the Soviet Union's intention to act exclusively within the framework of collective efforts to settle this crisis. From the very outset, we firmly and clearly advocated the use of political methods to quench the flames, ensure the immediate and unconditional withdrawal of Iraqi troops from Kuwait, restore the situation that existed before 2 August 1990 and steer the situation speedily to the path of peaceful dialogue and a search for peaceful approaches.

Those are the objectives motivating the Soviet Union's vigorous efforts in the United Nations to establish contacts with leaders of the Arab world and all other interested parties. Those contacts have included an exchange of letters between the Presidents of the USSR and Iraq. On 24 August - the eve of this Council meeting - Mikhail Sergeyevich Gorbachev wrote to the Iraqi President, emphasizing once more the need for the Iraqi Government to begin immediately to comply with the requirements of the Security Council's resolutions. President Gorbachev also pointed out that if those requirements were not met, the Security Council would inevitably be impelled to adopt appropriate additional measures.

(Mr. Lozinsky, USSR)

The Soviet Union has done and will continue to do everything possible for the implementation of the Security Council's resolutions, including resolution 661 (1990). In the communication of 23 August 1990 to the Secretary-General concerning our country's action to implement the provisions of that resolution, the USSR reaffirmed its intention to comply strictly with the sanctions until the crisis is resolved.

It is clear that attempts to violate measures adopted by the Security Council cannot do anything to help establish a peaceful and constructive atmosphere conducive to a political settlement of the Persian Gulf crisis.

We have called, and we continue to call, upon the Iraqi leaders to make substantial changes in their present policy. Unfortunately, we are forced to acknowledge that thus far our hopes have not been realized. Not only has Iraq not withdrawn its forces from Kuwait, but it continues to take steps that must be described as illegal and defiant.

The Soviet Union cannot fail to be gravely concerned at the situation of the nationals of a number of countries in Iraq and Kuwait. Clearly a decision to hold foreign nationals by force is unprecedented in international relations and cannot be condoned. We are firmly convinced that this problem must be resolved as quickly as possible, in accordance with the fundamental norms of international conduct, with humanitarian principles and with the principles of human rights.

We call upon Iraq to consider very carefully the world situation brought about by its actions and to do nothing that could be viewed as defiance of the international community and of the decisions of the Security Council. In our view, only this approach can make it possible to prevent an escalation of the crisis and to start working out a settlement. Moreover, we emphasize the need for continued dialogue and a search for political solutions through efforts made within the United Nations and at the regional and bilateral levels.

(Mr. Lozinsky, USSR)

We reaffirm the readiness of the Soviet Union to take joint action within the Security Council and outside it to seek timely measures capable of settling the crisis in the region, which is now becoming more acute. We wish to draw special attention to the importance of maintaining a high degree of unity in the actions taken by members of the Security Council and of the United Nations as a whole. Now more than ever before, it is important to show that in the difficult and explosive situation which now prevails in the Persian Gulf region, the stress must continue to be placed on methods of dialogue and negotiation. This would further strengthen the authority of the Organization and would further enhance the prestige of the Security Council.

The Soviet Union supported the resolution adopted today because it favours precisely that kind of approach. The resolution is intended to expand the array of means available for implementing the sanctions. But measures to implement the resolution must, as indicated in the text, be commensurate to the specific circumstances. Political and diplomatic methods should be employed to the maximum degree possible.

It is also important that the Security Council should continue to concern itself on an ongoing basis with this extremely grave problem. We are prepared to make full use of the opportunities afforded by the machinery of the Military Staff Committee and of the Committee established under resolution 661 (1990).

People in the Soviet Union understand full well the gravity of the situation resulting from the Persian Gulf crisis. We are now on the threshold of taking responsible decisions with respect to measures that will determine the fate of many thousands of people. The swift unfolding of events convinces us beyond any doubt that it is most important under these circumstances to display prudence and caution and not to permit reliance on forcible methods and on action that could bring explosive developments in the situation. In this connection the Soviet delegation

(Mr. Lozinsky, USSR)

wishes to emphasize once again that the gravity of the present situation requires everyone directly or indirectly involved in the dangerous confrontation to show respect for the will of the international community and a sense of responsibility for the fate of the world.

Mr. TÖRNUDD (Finland): The international crisis caused by the Iraqi invasion of Kuwait is rapidly worsening. It is important now to maintain the determination of the international community to control the situation.

Finland and other States Members of the United Nations have set their hopes on the application of the principle of collective security in the face of aggression. Regrettably, on many occasions in the past, disagreements and a lack of political will have prevented effective action.

(Mr. Törnudd, Finland)

This time we sense that the whole international community is determined. It is of the utmost importance that collective security should work, that the aggressor should not benefit from aggression. We may still have a difficult path ahead of us, but we are sure that the Security Council will continue to live up to the confidence that member States have placed in it.

More than three weeks have already passed since the Security Council adopted its resolution 660 (1990), demanding that Iraq should immediately and unconditionally withdraw all its forces from the territory of Kuwait. That is still the demand of the international community, the only way to return to peace and stability. The sovereignty, independence and territorial integrity of Kuwait must be restored.

Finland joins other countries in demanding that Iraq should give up its policy of keeping foreign nationals trapped in Iraq and in occupied Kuwait in violation of fundamental principles of international law. The foreign nationals remaining in Iraq and Kuwait against their will include a sizeable number of nationals from Finland and other Nordic countries. Just a few days ago the evacuation of Finnish and Swedish nationals from Kuwait was stopped at the northern border of Iraq, where most of the group remains detained since then by the Iraqi authorities.

Since Iraq has failed to comply with the resolution demanding withdrawal, other resolutions have followed, in particular resolution 661 (1990), introducing under Chapter VII of the Charter wide-ranging sanctions covering economic relations with Iraq and the occupied territory of Kuwait. So long as the occupation continues, our first concern must be to ensure that the sanctions are strictly enforced.

It is only logical, therefore, that the Security Council should now strengthen its role in ensuring the implementation of the sanctions. This is a further proof of the determination of the Council. The new resolution now adopted authorizes

(Mr. Törnudd, Finland)

further measures at sea by member States in order to ensure strict enforcement of resolution 661 (1990).

This is a decision without precedent and with far-reaching implications. Therefore any concrete action by the naval forces concerned will require close attention to ensure that they serve the purposes intended by the Council. We see the new measures as strictly limited to the framework of resolution 661 (1990), strengthening its implementation.

The Iraqi aggression and the occupation of Kuwait demand sacrifices by member States, in particular by the States in the region. We hope that this new resolution, together with those previously adopted, will facilitate the return of peace to the region. Such a development is also crucial to the whole international community.

Sir Crispin TICKELL (United Kingdom): Tonight we have put the fifth brick in the edifice which the Council has built to help protect the world from the aggression of a powerful State against its defenceless neighbour. I think the reaction of the Council to this crisis is exemplary, and as others have said, it shows a new spirit, not just clinging to time-honoured procedures and methods of the past but a creative approach of the international community in dealing with an unprecedented crisis.

Now we move forward to enlarge the means open to Member States co-operating with the Government of Kuwait:

"to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council ..." (resolution 665 (1990), para. 1).

(Sir Crispin Tickell,
United Kingdom)

I must make it clear to the Council that those measures include such minimum use of force as may be necessary to achieve the purposes of the paragraph I have cited. Naturally, we hope that it will not be necessary to use force. It is important that shipowners and their captains should co-operate fully with naval forces deployed in the area in halting their vessels and permitting the inspection and verification of their cargoes and destinations.

This resolution is the result of mounting evidence of breaches of sanctions on a large scale. Some of that evidence - perhaps no more than the tip of the iceberg - was furnished to the Committee on economic sanctions yesterday. As we know for ourselves, there is a string of tankers carrying Iraqi oil from Iraqi ports outwards from the Persian Gulf. If these open acts of defiance succeed, the authority of the Council, and of the United Nations itself, will be gravely undermined.

Tonight the international community has chosen the best course for dealing with such maritime breaches of economic sanctions, but I must remind the Council that sufficient legal authority to take action already exists under Article 51 of the Charter and the request which we and others have received from the Government of Kuwait. If necessary, we will use it.

The resolution which we have just passed does not cover all aspects of the problem, nor does it pretend to. Whether we need to consider other measures and proceed to other resolutions depends primarily on the Government of Iraq. That Government must recognize and respect the will of the international community, as expressed through the Council. The focus has steadily become sharper and clearer. Tonight the focus is at its sharpest and clearest yet.

(Sir Crispin Tickell,
United Kingdom)

Let no one, least of all the Government of Iraq, doubt our determination to see the immediate and unconditional withdrawal of Iraqi forces from Kuwait and the restoration of the legitimate authority in that country. Let no one, least of all the members of the Iraqi Government, forget their personal responsibility for the outrages which succeed each other every day in the country which they have invaded, occupied and despoiled.

Mr. ANET (Côte d'Ivoire) (interpretation from French): My country, Côte d'Ivoire, is a profound believer in one religion: peace, whose secular arm is called dialogue. When dialogue is no longer possible, my country falls back on legality, that is to say, respect for the Charter of the United Nations, in the broadest sense of the word "Charter", respect for the norms laid down by the Non-Aligned Movement, respect for the Charter of the Organization of African Unity (OAU) and other instruments.

By voting in favour of the text, of which we were a sponsor, we were merely reaffirming that we do not believe that there is any word more appropriate than "defiance" to describe the behaviour of the Iraqi authorities. It has now been more than three weeks since we met to condemn unanimously first the invasion and then the annexation of Kuwait. Those acts are violations of principles of international law and of the Charter of our Organization, but, above all, by their continuance, they show Iraq's defiance of mankind.

(Mr. Anet, Côte d'Ivoire)

Through our resolutions 660 (1990), 661 (1990), 662 (1990) and 664 (1990) and the diplomatic actions taken by certain States, we have striven to impress upon Iraq the urgent need to terminate these actions, which are both illegal and absurd. Iraq has refused to entertain any such approaches. Our presence in this Chamber at this hour is proof that the international community failed in its attempt to make the Iraqi authorities see reason. We failed because we did not equip ourselves with the means of succeeding. We failed because the means with which we equipped ourselves to implement the resolutions we adopted, especially that concerning the embargo, were deficient.

Côte d'Ivoire is a small country, a country that loves peace and justice, and we know that only scrupulous respect for international law and the United Nations Charter on the part of all States including Iraq will enable us to hope to live in peace in this planetary village, our world.

By voting in favour of resolution 665 (1990) my delegation did not merely intend to support just another resolution. Through this resolution we intend not only to meet the existing shortcomings in the means available to implement earlier resolutions, but above all we wish to say to Iraq that the international community cannot wait indefinitely and tolerate being mocked.

My country believes peace is still possible, and that the restoration of the Arab people's dignity is still possible. It requires the immediate and unconditional withdrawal of Iraq from Kuwait.

Mr. TADESSE (Ethiopia): The United Nations Security Council has come a long way in discharging its responsibilities with regard to the invasion of Kuwait by Iraq. By maintaining unprecedented unanimity in condemning the aggression, in imposing sanctions and declaring the illegal annexation of Kuwait null and void, as well as responding swiftly to the humanitarian concern of foreign nationals in Kuwait and Iraq, the Council has so far lived up to expectations as envisaged in the Charter of the United Nations.

(Mr. Tadesse, Ethiopia)

Unfortunately successive Security Council decisions have yet to be implemented. Much remains to be expected of Iraq by way of addressing the core issue of compliance, particularly with Security Council resolution 660 (1990), calling for the immediate and unconditional withdrawal of Iraqi forces from Kuwait. It is therefore imperative that the Security Council take appropriate action aimed at enforcing full compliance by Iraq with the provisions of its resolutions aimed at restoring the sovereignty and territorial integrity of Kuwait and ensuring the maintenance of peace and security in the region.

In this regard it is our conviction that the Security Council, as the vanguard of world peace and security, continues to exercise its authority in the implementation of its decisions before the situation deteriorates further with ominous consequences for the maintenance of peace and security. This resolution, we believe, provides for such enforcement measures under the authority of the Security Council to ensure full compliance with the provisions of resolution 661 (1990).

It is in the light of this principled position and with the hope that it will help put a speedy end to the crisis in the region that my delegation has lent its support to the resolution just adopted.

Mr. LI Daoyu (China) (interpretation from Chinese): Since the invasion and annexation of Kuwait by Iraq the Security Council has adopted four resolutions in succession. It is regrettable, however, that Iraq has failed thus far to implement those resolutions and its military forces have not been withdrawn from Kuwait.

As the tension in the Gulf region continues, the Chinese delegation is very anxious and concerned. It is China's consistent stand that the current Gulf crisis should be settled politically and by peaceful means. We support the Arab countries in their efforts for a political solution. We also respect their demand for

(Mr. Li Daoyu, China)

strengthened capabilities to defend themselves. In our view the pressing need of the moment is seriously and effectively to implement the four Security Council resolutions already adopted, including resolution 661 (1990), on the imposition of sanctions. Iraq should withdraw all its military forces from Kuwait immediately and unconditionally. The sovereignty, independence and territorial integrity of Kuwait should be restored and respected. And the safety and freedom of the foreign nationals in Iraq and Kuwait should be guaranteed.

In order to prevent a further worsening of the situation and to implement the Security Council resolutions effectively, thus bringing about an early restoration of peace and security in the Gulf region, we maintain that the mechanisms of the United Nations, including the Committee established under resolution 661 (1990), should be fully utilized. That Committee should expeditiously examine the implementation of the resolution and make relevant recommendations, which will be discussed and acted upon by the Council. We also hope to see mediation and good offices by the United Nations Secretary-General in this regard and will support him in playing such a role.

In the interest of averting escalations of the armed conflict, which will gravely worsen the situation, we are in principle against military involvement by big Powers and are not in favour of using force in the name of the United Nations, for this will not help solve the crisis but rather will hinder the efforts of the United Nations and other quarters for a political solution, leading to further aggravation and complication of the situation.

Therefore we hold that measures must be taken within the framework of resolution 661 (1990), which does not provide for the use of force, and will naturally not allow force to be used for its implementation.

Based on the above considerations, we have proposed deletion of the reference to "minimum use of force" from the previous draft resolution. The present draft

(Mr. Li Daoyu, China)

resolution, as amended by various parties, is limited to the implementation of resolution 661 (1990), and there is no reference to the minimum use of force. We think that the reference in the draft resolution to using "such measures commensurate to the specific circumstances as may be necessary" does not contain the concept of using force.

Based on the above understanding, and considering that our amendments have been accepted, we voted in favour of the draft resolution.

In conclusion we appeal once again to the parties concerned to exercise restraint, refrain from using force and seek the peaceful settlement of this serious crisis through negotiations and dialogue.

The PRESIDENT: I shall now make a statement in my capacity as the representative of Romania.

The delegation of Romania voted in favour of the draft resolution contained in document S/21640. In this regard my delegation would like to reiterate the position expressed by the Government of Romania on the situation between Iraq and Kuwait. That position is well known to all members of the Security Council as it was expressed on the occasion of the adoption of previous resolutions on the item under consideration.

(The President)

Romania is resolutely against the use of force to annihilate the independence and sovereignty of another State, namely, Kuwait, and to annex that country; it believes that all States must observe the provisions of the Charter and the universally accepted principles of international law. We believe that all follow-ups or additional measures undertaken by the Council should be an integral part of the actions already decided upon by the Council through resolutions 660 (1990), 661 (1990), 662 (1990) and 664 (1990). New steps should be taken and implemented in conformity with the relevant provisions of the Charter and with full respect for the functions and powers of the Security Council.

My delegation shares the opinion that Member States should continue to act in the spirit of international solidarity and unity for the implementation of all resolutions adopted by the Security Council. At the same time, we find it appropriate to reaffirm our conviction that under the given circumstances it is necessary for all States to display moderation and responsibility and to undertake nothing that may further aggravate the situation.

I resume my function as President of the Council.

The Council will now hear other statements. I call on the representative of Kuwait.

Mr. ABULHASAN (Kuwait) (interpretation from Arabic): At the outset, it is imperative that I should express thanks to the States which voted in favour of resolution 665 (1990), just adopted. Their vote is a living expression of their commitment to the principles of the Charter and defence of the credibility of the Security Council. In adopting this resolution, the Security Council enters history through its widest gates and lays a solid basis for peace and the safeguarding of the rights and principles of peoples.

(Mr. Abulhasan, Kuwait)

The Council meets today to follow up and complement the persistent and effective efforts that have been under way since the wanton aggression committed against Kuwait and the occupation of Kuwaiti territory, rendering its people homeless and annexing the country through the use of overwhelming force. That effort on the part of the Council has led to the adoption of five resolutions which expressed the conscience and sentiments of the whole world in condemning the Iraqi régime, its expansionist schemes and its total disregard for human values and principles, for international norms and for the fundamentals of civilized human relations. Thus the Iraqi régime has been totally isolated from the civilized community of nations and now finds itself in a dark corner, following a just decision by the world community and the Council, namely, that it is an outlaw, non-peace-loving régime which the international community cannot trust or deal with, and for that reason it has imposed comprehensive sanctions on that régime. This boycott would not have been enforced had not the Council shown a positive response in keeping with the principles of justice. The Council is aware of what Kuwait, a small and peaceful country, does to serve its citizens, to provide them with a welfare system and to make optimum use of Kuwait's God-given natural resources.

Kuwait's pioneer role in the economic development of the developing world is well known. Kuwait has provided unlimited support to its brothers and sisters because it has strenuously pursued and firmly believes in a policy of sharing its natural resources equitably and actively promoting peace.

Along with the rest of the international community, Kuwait had hoped that the Iraqi régime would awaken from its fit of senseless adventurism and comply rationally with the international will and implement the Council's resolutions by

(Mr. Abulhasan, Kuwait)

withdrawing - immediately, totally and unconditionally - from all Kuwaiti territory and restoring the legitimate Government of Kuwait under the leadership of its Amir, Sheikh Jabir al-Ahmad al-Jabir al-Sabah. Iraq would thus have saved the region the dire consequences of a tragedy whose dimensions only God knows.

We had hoped that the Iraqi régime would live up to its responsibility to the people of Iraq, which has been plagued by that régime, and save it from the darkness imposed on it by the régime's boundless aggressive aspirations. We had hoped that the Iraqi régime would have saved the Iraqi people the pain of the comprehensive embargo under which it is now living.

But it seems that this path, which has been pursued by the Council as the safest means of forcing the Iraqi régime to withdraw totally and unconditionally, was not without certain loopholes which have been exploited in order to circumvent the Council's resolution 661 (1990) calling for a comprehensive régime of sanctions. Given an Iraqi régime that does not adequately consider the rights and the fate of its people, let alone the rights of the proud people of Kuwait now suffering under Iraqi occupation, failure to close those loopholes could prolong the Iraqi occupation of Kuwait and perpetuate the suffering of the Kuwaiti people under every form of terrorism, intimidation, oppression, looting, eviction and violation of all that we hold sacred. Those loopholes could give the Iraqi régime the opportunity to wipe out Kuwaiti identity and wreak havoc on the resources and wealth of the Kuwaiti people.

(Mr. Abulhasan, Kuwait)

Kuwait, now armed with this overwhelming support of the entire world, is determined to liberate its territory, to restore its dignity and to expel the aggressive usurper. Kuwait will, as it has always done, follow the path of peace to attain and secure its rights.

By calling for the use of all possible means, including the military option, to tighten the sanctions régime imposed against Iraq, the resolution adopted tonight can, we believe, attain the desired result; it closes the loopholes in resolution 661 (1990) that have been exploited by the oppressive Iraqi régime. Thus, the resolution will contribute to the attainment of Kuwait's legitimate demand that its entire territory and its legitimate Government be restored to it.

The adoption by the Security Council of resolution 665 (1990) in fact sends a clear, resounding message to the Iraqi régime that the international community, whose conscience the Council represents, is determined to impose its will on that régime and to bring pressure to bear on it by all means in order to force it to implement the Council's resolutions 660 (1990), 661 (1990), 662 (1990) and 664 (1990).

Peace cannot be attained by means of any initiative that is not based in the first place on complete and unconditional withdrawal from all Kuwaiti territory and restoration of the legitimate Government of Kuwait. If those two conditions are not met, all initiatives - no matter what they are and no matter who takes them - will remain an illusion, a mirage; they will be stillborn; they will be only an attempt to evade and circumvent the Council's straightforward resolutions.

If peace in the region is to be achieved, the core of the problem must be addressed - and not its implications, especially when they are dealt with selectively.

(Mr. Abulhasan, Kuwait)

We have heard it stated - in this Chamber as well - that it would be more appropriate to seek an Arab solution, that a settlement could be achieved within an Arab framework. No one can question our keen desire to address the issue in the proper way and to place it in the proper perspective. Indeed, we sought to settle the whole problem in an Arab context, but all of a sudden the Iraqi President invaded and occupied an Arab State. We have also sought a solution within an Arab framework to the effects of the occupation; but we have seen the President of Iraq rejecting Arab resolutions that were clear and explicit in that regard. If the Iraqi régime really wants to address the issue within an Arab framework, there is only one path to follow, immediately: the withdrawal of its invading forces, without restrictions or conditions, in accordance with the resolution adopted by the Arab Foreign Ministers on 2 August 1990 and the resolutions subsequently adopted by the Arab Summit and the Foreign Ministers of Muslim countries.

Iraq accuses the international community of acting in haste and appeals for patience and for inquiries during which it could clarify its position. It is not a characteristic of Kuwait to act in haste. Our desire to safeguard the interests of our homeland and the safety of our people under occupation has prompted us to move, slowly, towards the tightening of the embargo measures and the closing of all the loopholes. Any attempt to invoke humanitarian considerations by stating that foodstuffs and medicines should be excepted from the embargoed goods is only a pretext that might seem to be pertinent but is really designed to camouflage malicious designs. All the humanitarian problems arising from aggression and occupation will be solved once the aggression and the occupation and their effects are brought to an end. That can happen only if there is firm international solidarity, which will contribute to forcing the aggressor to implement Security Council resolution 660 (1990).

(Mr. Abulhasan, Kuwait)

We are confident that what the Security Council has done will go down in the annals of history. For, in adopting this resolution today, the Council has contributed to ensuring the complete and unconditional withdrawal of the invading Iraqi forces from the territory of Kuwait and the restoration of the legitimate Government of Kuwait.

Despite the tragedy that has befallen us, we stress that we seek peace; we have always sought peace, and we shall continue to seek peace. Kuwait will see its freedom and pride restored; it will again be the master of its fate, under the leadership of its Head of State, Sheikh Jaber Al-Ahmed Al-Sabah, with the faithful people of Kuwait and all the peace-loving nations standing behind him. You, the members of the Security Council, represent the conscience of the world community.

The PRESIDENT: The next speaker is the representative of Oman, who wishes to make a statement on behalf of the States members of the Gulf Co-operation Council. I invite him to take a place at the Council table and to make his statement.

Mr. AL-KHUSSAIBY (Oman): The Security Council has, in a very short time, adopted a number of very important resolutions aimed at resolving the critical situation brought about by the Iraqi invasion and annexation by force of the brother State of Kuwait.

(Mr. Al-Khussaiby, Oman)

We had hoped that Iraq would respond positively to the calls of the international community and the resolutions of the League of Arab States and the Organization of the Islamic Conference to work towards achieving a peaceful solution by withdrawing from Kuwait and restoring the legitimate authority of Kuwait. It is with deep regret that we find Iraq instead insisting on the continued occupation of Kuwait, which aggravates the situation and makes it extremely dangerous.

That is why my Government joined with other States in asking the Security Council to convene this meeting and to look into necessary measures for the implementation of the relevant Security Council resolutions, and especially to ensure compliance with Security Council resolution 661 (1990), in accordance with Chapter VII of the United Nations Charter and in the way that the Security Council deems most appropriate.

This morning the Gulf Co-operation Council countries welcome the adoption of resolution 665 (1990). I wish to express our appreciation to you, Sir, to the permanent members of the Security Council, and to the non-aligned members of the Security Council for their time and efforts. We continue to call upon Iraq to heed logic and wisdom, and we urge it to accept all the previous resolutions in order to avoid dangers yet unforeseen to the brotherly people of Iraq and the whole region.

The PRESIDENT: I call on the representative of Iraq.

Mr. AL-ANBARI (Iraq): I asked for the opportunity to speak before the voting in order to show the illegality of Security Council resolution 665 (1990) under the Charter of the United Nations. In your wisdom, Sir, without citing a precedent or procedure, you preferred to deny me that privilege. However, I am pleased that my colleague, the representative of Cuba, highlighted the illegal aspect of that resolution. That is why I shall be very brief in explaining why it is illegal under the Charter.

(Mr. Al-Anbari, Iraq)(spoke in Arabic)

Security Council resolution 665 (1990) is unjustifiable. It contradicts itself. Security Council resolution 661 (1990) is based on Article 41 of the Charter, which clearly states that no force should be employed to give effect to economic measures decided by the Security Council. That reservation is emphasized by the fact that five members of the Security Council which voted in favour of the resolution or abstained from voting on it expressed doubts about its applicability and appropriateness. The fact is that our colleague, the representative of the People's Republic of China, frankly stated that he had voted in favour of the resolution while convinced that it does not authorize the use of force to implement the measures provided for in resolution 661 (1990).

However, at the same time, we heard several representatives warn of the need to keep use of force at a minimum or necessary level. Such contradictions reflect the pressures exerted on the members of the Security Council to adopt an unjustifiable resolution.

The resolution commits an even more dangerous contravention. Any use of force in accordance with the Charter falls under provisions of Article 42 and is governed by subsequent articles, particularly since those articles limit the use of force to the Security Council, in co-operation with the Military Staff Committee, in accordance with agreements made by the Security Council with troop-contributing States, whose troops are thereafter placed under the authority of the United Nations.

We may well wonder here why the sponsors of resolution 665 (1990) were so keen to avoid invoking the authority and purview of the Security Council under the provisions of Article 42 of the Charter.

(Mr. Al-Anbari, Iraq)

In my opinion, the reasons are as follows. First, Article 42 is invoked on the basis of the Security Council's assessment, in the light of a report submitted by the Secretary-General, of the effectiveness of economic measures and their success. However, the sponsors of the resolution, in their haste, did not find it easy to wait for 5 September, when the Secretary-General is to submit his report.

What is more important, and more dangerous, the sponsors endeavoured to undermine the Security Council's authority and to circumvent the mechanisms enshrined in the Charter and embodied in the Security Council and tried to take control of that authority.

We believe that the haste and pressures in producing the resolution are designed to facilitate large-scale military aggression by United States forces, now massing in the oil fields of the Kingdom of Saudi Arabia, in co-operation with Israeli armed forces and intelligence circles. For that reason, the resolution, while undermining the Security Council's authority, is void in substance and detail.

The Security Council has no right to deprive itself of its own authority, or to delegate that authority to a number of States, unless the Charter is properly amended.

Moreover, the resolution is very dangerous. It lays down no logical basis for the use of force. It gives no real authority to the Security Council, the Military Staff Committee, the Security Council Committee concerned or the Secretary-General in supervising the use of force by maritime States.

Uncontrolled and uncontained force leads to tyranny and oppression. That is true of the use of force under the resolution. As I have said, there are no real limits or boundaries ensuring the proper use of force on the high seas.

Furthermore, with the presence of United States forces, naval, air and land forces in numbers unprecedented in the history of the Middle East, the use of

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force by the United States or any of its allies or puppets in the hysterical atmosphere now prevailing in the region will inevitably lead to a number of explosions, which will burn all in their path.

Iraq therefore believes that it would have been wiser for the Security Council to avoid weakening its own credibility. It would have been wiser not to undermine the whole United Nations system. I do not think I exaggerate when I say that many States which voted in favour of the resolution, or abstained, will face the day when they are the victim of such a precedent.

The resolution, which the United States and its allies endeavoured to produce in order to give legitimacy to their acts of aggression, actually represents an admission by the United States that its military actions against Iraq since the adoption of resolution 660 (1990) have indeed been aggressive and illegal acts. That is why the United States so hastily sought a fig-leaf.

The United States continues to act arrogantly. It insists on its right to use force, whether the Security Council adopted the resolution or not. The position of the United States shows that country's arrogance and irresponsibility. It shows the real view the United States holds of the United Nations and the Security Council, which it sees as tools to be used to cover up its acts of aggression at a time when it does not hesitate to blackmail the United Nations in order to ensure the protection of its allies and puppets, such as Israel, by refusing to pay its assessed contributions to the United Nations budget, which now total over \$500 million.

Furthermore, by producing this illegal resolution, the United States is increasing the seriousness and complexity of the situation. It is forcing an escalation of tension and a resort to armed force, which will lead to an explosion of the situation even before the Secretary-General's report on the implementation of economic measures is submitted on 5 September. That is in complete

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contradiction of the aims and objectives of the Security Council and of the Charter of the United Nations. Therefore the United States, which has massed its attack forces in the Arab Gulf region, has used the Security Council to ensure the implementation of its plan, a plan essentially aimed at using force against Iraq and serving the interests of the United States and the expansionist interests of zionism in the region, as well as United States hegemony over the wealth of the region, shipping in the Gulf and the destiny of the peoples of the Gulf.

(Mr. Al-Anbari, Iraq)

In our view, a strange phenomenon is taking place in this Council. It weakens the credibility of the Security Council and the Council's ability to implement its resolutions by peaceful means. Moreover, it replaces international legitimacy on the high seas with the arbitrary individual use of force under the umbrella of the Security Council unfurled through the adoption of an illegitimate resolution. The full historical responsibility for this falls squarely on the shoulders of the United States of America and its allies.

Many of the speakers who preceded me referred to the importance of continuing diplomatic efforts, especially through the Arab Group. But it is clear that through their behaviour - in requesting meetings of the Security Council, in the hasty adoption of unjust resolutions and in holding meetings at short notice, thus providing no opportunity for dialogue - the United States and its allies have slammed the door on any peaceful solution, despite the initiatives put forward in a spirit of seriousness and responsibility by Iraq and other Arab brethren.

We cannot fail at this stage to draw the attention of Council members to the provocative nature of the massive deployment of troops by the United States of America, the United Kingdom and their allies and to the use of that massive deployment to impose a blockade and famine upon the Iraqi people, in an uncivilized and inhuman fashion unprecedented in contemporary history. All of that has taken place in the past two weeks, along with the adoption of five consecutive resolutions at a pace matched only by the speed of the United States rejection of all peace initiatives put forward by Iraq.

We sound a clear warning concerning aggression against Iraq. We warn that the United States military forces in the Gulf are not there to defend anyone; they are there and will remain there as a continuing factor for occupation and threats, with the principal objectives of taking over the region's oil wealth and controlling its

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production, pricing and marketing, so as to render the region's oil a weapon that can be used to threaten today's friends of the United States which may become its opponents tomorrow and to deprive the peoples of the region of their independence, their right of self-determination and the enjoyment of their own national wealth.

Mr. PICKERING (United States of America): The hour is truly late. The absolutely bizarre and warped statement we have just heard can certainly never be dignified by a reply. Unfortunately, and regrettably, it not only was not short, as promised, but also fully justified in every way the very solemn step which the Council has just taken.

The PRESIDENT: The representative of Iraq has asked to speak, and I call upon him.

Mr. AL-ANBARI (Iraq): The representative of the United States, distinguished as he is, in replying to my comments the other day, accused Iraq of not being good at public relations. I recognize that, and I pay him the compliment of saying that the United States has shown itself to be a real master of public disinformation. His comments on my statement are an illustration of that.

The PRESIDENT: There are no further speakers for this meeting. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 6 a.m.

